IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 24999 of 2004

Between:

B. Nagaiah, S/o. Samaiah,
R/o. Karnimitta Butchinaidukandrika Mandal,

Chittoor District, A.P.,

..... PETITIONER

AND

1 The A.P. Forest Developmemnt Corporation Ltd.,

(A Government of A.P., Under taking), Satyaveedu Division,
Satyaveedu, Chittoor District A.P., rep by Divisional Manager.
2 The A.P. Forest Development Corporation,

Nellore Region, rep.,by Regional Manager,

Regional Office, Pinakini,
Vanavihar, Opposite to Nippo Factory, Nellore, A.P.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court be pleased to issue an appropriate Writ or order or direction under article 226 of the Constitution of India, particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in stopping the petitioner from work without following the procedure under the I.D. Act 1947 is unjust arbitrary and illegal and further directing the respondents to allow the petitioner to work as plantation watcher on the terms and conditions as he was working at Addur Village which is called Addur BIT-I and BIT-II plantation in Satyaveedu Division after calling for the records.

Counsel for the Petitioner: Mr. NUTHALAPATI KRISHNA MURTHY

Counsel for the Respondents: Mr. P.SREE RAMULU NAIDU

The Court, at the stage of admission, made the following :

ORDER:

The petitioner claims that he worked as a plantation watcher under the respondents and that he was asked to stop attending the said work. Therefore, he approached this Court seeking to declare that the action of the respondents, in stopping him from attending the work without following the procedure under the Industrial Disputes Act, 1947, as arbitrary, illegal and unjust and to direct the respondents to allow him to work as a plantation watcher on the same terms and conditions under which, he worked previously.

2. The 1st respondent filed a counter mentioning that the work has been considerably reduced and there are excess workers. Therefore, it is not possible to provide work to the petitioner.

3. In the light of the circumstances explained by the 1st respondent, no specific direction could be given to the respondents to continue to engage the petitioner. However, the respondents are at liberty to take the service of the petitioner as and when there is sufficient work.

4. The Writ Petition is accordingly disposed of. No order as to costs.

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(Dr. G.YETHIRAJULU,J)

25th April, 2005.

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To

1 The Divisional Manager,

A.P. Forest Developmemnt Corporation Ltd.,

(A Government of A.P., Under taking), Satyaveedu Division,
Satyaveedu, Chittoor District A.P.

2 The Regional Manager,

A.P. Forest Development Corporation,

Nellore Region,

Regional Office, Pinakini,
Vanavihar, Opposite to Nippo Factory,

Nellore, A.P.

3 Two CD copies